

R E M A R K S

~~Claims 1-8 are pending in this application. Claim 8 has been~~
added.

Specification

The Examiner's objections in paragraphs 1 and 2 of the current Office Action are traversed, but are believed to have been overcome by amendments to pages 10 and 11 of the application.

Rejections under 35 U.S.C. 112

The Examiner's objections in paragraphs 3, 4, 5 and 6 are
traversed, but are believed to have been overcome by the amendments made.

The last paragraph on page 3 of the Office Action, the Examiner objects to "claim 12". There is no claim 12 present in this application. It is believed that the Examiner meant to refer to claim 7. Claim 7 has been amended and is believed to be free of rejection.

Rejections under 35 U.S.C. 102

The rejections for lack of novelty under 35 U.S.C. 102 in paragraphs 7, 8, 9, and 10 are traversed.

The attention of the Examiner is respectfully invited to significant claim limitation that the elastomer sheet of the

claimed cleaning article has a maximum static frictional force of 9.8 to 29N. ~~The attention of the Examiner is respectfully invited~~ to the definition of the frictional property given in claim 1, beginning at line 6.

[None of the cited references discloses the claimed frictional property of the elastomer sheet.] It is completely unknown from the cited references that the elastomer sheets disclosed in the cited references have the claimed range of frictional property, although the Examiner alleges that such is inherent. It is readily apparent from a comparison between the inventive examples and the comparative examples in the specification as filed, that all elastomers do not always satisfy the claimed range of the frictional property. The Examiner should give patentable weight to the frictional property, since it is a significant limitation in all pending claims.

Cleaning articles disclosed in the cited references catch and remove hairs and lint from a carpet by making use of the tackiness of the elastomers. They do this by causing hairs and lint to cling to the cleaning surface of these cleaning devices, which are made of the elastomers. These prior art devices, however, suffer from a number of disadvantages. One disadvantage is that the tack of the cleaning surface decreases with repeated use. This phenomenon is described on page 1 of the specification as filed.

This disadvantage has been overcome in the present invention,
~~since the present invention does not make use of the tackiness of~~
the elastomer. In accordance with the present invention, advantage
is taken of the frictional force of the elastomer. This frictional
force removes hairs from a carpet and entangles the hairs with each
other into an aggregate. The hairs do not cling to the elastomer.
The attention of the Examiner is respectfully invited to the first
and second paragraphs on page 5 of the application as filed.

The elastomers employed in the present application have a
controlled frictional force, but do not have to have tackiness.

U.S. Patent 5,569,521 (Francoeur) may or may not have the
specific disclosure attributed to it by the Examiner. However, one
thing is abundantly clear. Francoeur does not disclose any of the
subject matter of the claim 1, starting at line 5 to the end of the
claim. The subject matter describes the specific maximum static
frictional force of the elastomer sheet under certain conditions.
Such is not disclosed by Francoeur.

Neither is the above-described static frictional force
disclosed by GB 2200380 (Kuwabara).

Neither is the above-described maximum static frictional force
disclosed in U.S. Patent 3,754,991 (Amos et al.)

not if it is inherent
* Since the maximum static frictional force as defined in the
claim is not disclosed in any of the cited references, the
references fail to disclose subject matter within the scope of

claim 1. Claim 1 defines novel subject matter with respect to
~~these three cited references. Claims 2 through 7 are dependent~~
upon claim 1, include the same maximum static frictional force
limitation and are patentable, because claim 1 is patentable.
Independent claim 8 also includes the same static frictional force
limitation. All claims define novel subject matter with respect to
all cited references.

Rejections under 35 U.S.C. 103

The rejection of claim 7 as obvious under 35 U.S.C.103 over
Francoeur is traversed. There is no motivation in Francoeur to
~~select an elastomer as defined by claim 7 or any elastomer~~
having the maximum static frictional force as defined by claim 7
read together with claim 1, upon which it depends.

Unexpected Results

The attention of the Examiner is respectfully invited to the
document entitled "DECLARATION UNDER 37 CFR § 1.132" filed
concurrently herewith. This declaration clearly shows that the
claimed elastomer sheet does not possess tackiness and has a
Maximum Static Frictional Force of only 24.5 N, whereas the tested
prior art comparative elastomer sheet possesses tackiness and has
an undesirably high Maximum Static Frictional Force of 36.8 N.
This difference is completely unexpected and is not taught or

rendered obvious by the cited prior art. Furthermore, This
~~difference is significant because the maximum force is 29 N as~~
given in claim 1 line 6 and in claim 8 paragraph (b).

Since all other claim are dependent on claim 1 and are similarly limited. These unexpected results clearly demonstrate the non-obviousness of all claims under 35 USC § 103.

Conclusion

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a two (2) months extension of time for filing a reply in connection with the present application, and the
required fee of \$ 410.00 is attached hereto.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact David R. Murphy (Reg. No. 22,751) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

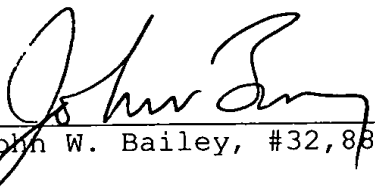
Attached hereto is a marked-up version of the changes made to the application by this Amendment.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees

required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of
time fees.

Respectfully submitted,

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By 
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JWB/DRM/bmp/jeb
0445-0293P

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Attachment: Version with Markings to Show Changes Made
Kazuya OTSUJI Declaration Under 37 CFR §1.132

(Rev. 02/20/02)

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

The paragraph beginning on page 10, line 20, has been amended as follows:

--[Gonzo Pet Hair Lifuter (trade name), which is a cleaning article] A cleaning article sold under the trade name GONZO PET HAIR LIFTER supplied by Gonzo Co., was tested for rub resistance as follows. This cleaning article has a block form, and its cleaning surface is made of natural rubber. The maximum static frictional force of the cleaning article was 24.0 N. The same rub resistance test was carried out on the cleaning article of Example 2.--

The paragraph beginning on page 11, line 8, has been amended as follows:

--As a result, the [Gonzo Pet Hair Lifuter] cleaning article sold under the trade name GONZO PET HAIR LIFTER needed 5.0 rubs for complete cleaning and 6 rubs until break. On the other hand, the cleaning article of Example 2 needed 2.5 rubs for complete cleaning and 60 rubs until break. It is seen from these results that the cleaning article of the present invention is resistant against rubbing frictional and withstands long-term use.--

IN THE CLAIMS:

The claims have been amended as follows:

Claim 1. (Amended) A cleaning article comprising an elastomer sheet having a [synthetic elastomer disposed on the surface thereof, said] synthetic elastomer forming a cleaning surface, wherein said elastomer sheet has a maximum static frictional force of 9.8 to 29 N, said static frictional force being defined as that [a] frictional force required for moving a 1 kg test weight having a flat rectangular base having a shorter side of 50 mm and a longer side of [by] 75 mm and having said elastomer sheet stuck to the entire surface of said base of said test weight wherein movement of

said test weight occurs on a horizontally disposed [spread] polypropylene carpet having cut piles 7 mm in length at a density of a 1/10 gauge and 43 stitches/10 cm wherein the movement of the test weight is in the direction parallel to that of the longer side of said base.

Claim 7. (Amended) The cleaning article according to claim 1, wherein said synthetic elastomer is selected from the group consisting of: an [comprises a] urethane elastomer, a styrene elastomer, an olefin elastomer, a vinyl chloride elastomer, an ester elastomer, an amide elastomer and mixtures [or a mixture] thereof.

Claim 8 has been added.